

# SENATE AMENDMENTS

2<sup>nd</sup> Printing

By: Guerra, Longoria, Zerwas, Lozano,  
Sheffield, et al.

H.B. No. 3576

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to the investigation of, and release of information  
3 concerning, communicable disease, including the Zika virus and  
4 other high consequence communicable diseases.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. Section 81.046(c), Health and Safety Code, as  
7 amended by Chapters 789 (H.B. 2646) and 1278 (S.B. 1574), Acts of  
8 the 84th Legislature, Regular Session, 2015, is reenacted and  
9 amended to read as follows:

10 (c) Medical or epidemiological information, including  
11 information linking a person who is exposed to a person with a  
12 communicable disease, may be released:

13 (1) for statistical purposes if released in a manner  
14 that prevents the identification of any person;

15 (2) with the consent of each person identified in the  
16 information;

17 (3) to medical personnel treating the individual,  
18 appropriate state agencies in this state or another state, a health  
19 authority or local health department in this state or another  
20 state, or federal, county, or district courts to comply with this  
21 chapter and related rules relating to the control and treatment of  
22 communicable diseases and health conditions or under another state  
23 or federal law that expressly authorizes the disclosure of this  
24 information;

1           (4) to appropriate federal agencies, such as the  
2 Centers for Disease Control and Prevention [~~of the United States~~  
3 ~~Public Health Service~~], but, except as provided under Subsection  
4 (c-3), the information must be limited to the name, address, sex,  
5 race, and occupation of the patient, the date of disease onset, the  
6 probable source of infection, and other requested information  
7 relating to the case or suspected case of a communicable disease or  
8 health condition;

9           (5) to medical personnel to the extent necessary in a  
10 medical emergency to protect the health or life of the person  
11 identified in the information; [~~or~~]

12           (6) to a designated infection control officer;

13           (7) [~~(6)~~] to governmental entities that provide first  
14 responders who may respond to a situation involving a potential  
15 communicable disease of concern and need the information to  
16 properly respond to the situation; or

17           (8) [~~(7)~~] to a local health department or health  
18 authority for a designated monitoring period based on the potential  
19 risk for developing symptoms of a communicable disease of concern.

20           SECTION 2. Section 81.046, Health and Safety Code, is  
21 amended by adding Subsection (c-3) to read as follows:

22           (c-3) The following medical or epidemiological information  
23 relating to a person who has or is suspected of having a present or  
24 potential health condition resulting from exposure to a high  
25 consequence communicable disease, such as the Zika virus, may be  
26 released to an appropriate federal agency:

27           (1) the name, address, sex, race, and occupation of

1 the person;

2 (2) the date of the onset of the health condition;

3 (3) the probable source of infection or exposure; and

4 (4) other requested information relating to the case  
5 or suspected case of the infection.

6 SECTION 3. Sections 81.061(a) and (c), Health and Safety  
7 Code, are amended to read as follows:

8 (a) The department shall investigate the causes and effects  
9 of communicable disease and methods of prevention.

10 (c) The department may investigate the existence of  
11 communicable disease in the state to determine the nature and  
12 extent of the disease and potential effects on the health of  
13 individuals and to formulate and evaluate the control measures used  
14 to protect the public health. A person shall provide records and  
15 other information to the department on request according to the  
16 department's written instructions.

17 SECTION 4. To the extent of any conflict, this Act prevails  
18 over another Act of the 85th Legislature, Regular Session, 2017,  
19 relating to nonsubstantive additions to and corrections in enacted  
20 codes.

21 SECTION 5. This Act takes effect September 1, 2017.

ADOPTED

MAY 24 2017

*Leta Spaw*  
Secretary of the Senate

FLOOR AMENDMENT NO. 1

BY: *C. [Signature]*

1 Amend H.B. No. 3576 (senate committee report) in SECTION 2 of  
2 the bill, in added Section 81.046(c-3), Health and Safety Code  
3 (page 2, line 5), by striking ", such as" and substituting "as  
4 defined by the department, including".

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION**

**May 25, 2017**

**TO:** Honorable Joe Straus, Speaker of the House, House of Representatives

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE:** **HB3576** by Guerra (Relating to the investigation of, and release of information concerning, communicable disease, including the Zika virus and other high consequence communicable diseases.), **As Passed 2nd House**

**No significant fiscal implication to the State is anticipated.**

The bill would amend the Health and Safety Code relating to the collection and release of information on the Zika virus and other high consequence communicable diseases for certain purposes. The Department of State Health Services indicates it could absorb the costs associated with the bill within its current resources. The bill would take effect September 1, 2017.

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:** 537 State Health Services, Department of

**LBB Staff:** UP, RD, KCA, EP, JGA

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION**

**May 16, 2017**

**TO:** Honorable Charles Schwertner, Chair, Senate Committee on Health & Human Services

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE:** **HB3576** by Guerra (Relating to the investigation of, and release of information concerning, communicable disease, including the Zika virus and other high consequence communicable diseases.), **As Engrossed**

**No significant fiscal implication to the State is anticipated.**

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**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION**

**April 25, 2017**

**TO:** Honorable Four Price, Chair, House Committee on Public Health

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE:** **HB3576** by Guerra (Relating to the investigation of, and release of information concerning, communicable disease, including the Zika virus and other high consequence communicable diseases.), **Committee Report 1st House, Substituted**

**No significant fiscal implication to the State is anticipated.**

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**Source Agencies:** 537 State Health Services, Department of

**LBB Staff:** UP, KCA, EP, RD, JGA

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION**

**April 8, 2017**

**TO:** Honorable Four Price, Chair, House Committee on Public Health

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE:** **HB3576** by Guerra (Relating to the collection and release of information on the Zika virus and other high consequence communicable diseases for certain purposes.), **As Introduced**

**No significant fiscal implication to the State is anticipated.**

The bill would amend the Health and Safety Code relating to the collection and release of information on the Zika virus and other high consequence communicable diseases for certain purposes. The Department of State Health Services indicates it could absorb the costs associated with the bill within its current resources. The bill would take effect September 1, 2017.

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**Source Agencies:** 537 State Health Services, Department of

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